

MY'KA EL,

Plaintiff,

v.

R. PRESTON JR, et. al.,

Defendants.

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following the procedure outlined in the Pretrial Order and Case Management Plan [Doc. No. 47]. The Court cautions Plaintiff that there is a requirement to meet and confer with the Defendants to attempt in good faith to resolve discovery disputes without the necessity of Court intervention. 47 at 7. Because of Plaintiff[']s pro se status, the Court excuses the parties from requesting an informal conference after they meet and confer. Rather, if the parties are unable to resolve their discovery dispute between themselves, either may file a formal discovery motion and supporting brief, which should include, among other things, a statement of the facts relevant to the motion with appropriate citation to the record, 2) a statement of the party's legal argument, including citations of authority, and 3) a clear statement of the ruling or relief being requested. 47 at 2. So Ordered.

Plaintiff's Motion does not comply with the above Order, the Pretrial Order and Case Management Plan (Doc. No. 47) or the Federal Rules of Civil Procedure. The Text-Only Order excuses the parties only from the requirement to request a telephone conference with the Court. Otherwise, all other requirements of the Federal Rules of Civil Procedure and the Pretrial Order and Case Management Plan continue to apply. Plaintiff's Motion does not state that he filed a formal discovery request, or that after receiving Defendants' responses or objections, he conferred with defense counsel to resolve any disagreements without involving the Court. The Motion does not contain the information, quoted above, required for a formal discovery motion. Defendant credibly states that Plaintiff did none of those things. (Doc. No. 54 at 2).

Defendant also points out that the parties previously mediated their dispute unsuccessfully. "Mediator's Report ..." (Doc. No. 30). Nevertheless, the current Pretrial Order contemplates mediation on or before June 3, 2024. (Doc. No. 47 at 1).

For the foregoing reasons, it is HEREBY ORDERED that:

1. Plaintiff's Motion for Joinder of Other Parties is **DENIED**;
2. To the extent Plaintiff's Motion seeks to compel production of discovery, Plaintiff's Motion is **DENIED** without prejudice to the parties pursuing discovery in the manner required by

the Federal Rules of Civil Procedure, the Pretrial Order and Case Management Plan (Doc. No. 47), and the Court's prior Order on March 8, 2024.

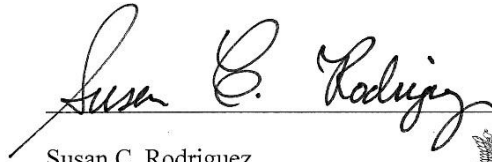
2. To the extent Plaintiff's Motion requests that the Court appoint a mediator, that request is **DENIED**. Consistent with the Pretrial Order and Case Management Plan (Doc. No. 47), the parties shall meet and confer to select a mediator, and notify the Court of their selection no later than June 5, 2024.

3. The discovery deadline is extended to July 3, 2024, the mediation deadline is extended to July 24, 2024, and the dispositive motions deadline is extended to August 5, 2024.

4. The Clerk is directed to send copies of this Order to pro se Plaintiff, defense counsel, and to the Honorable Kenneth Bell.

SO ORDERED.

Signed: May 22, 2024


Susan C. Rodriguez
United States Magistrate Judge

